

The SPEAKER pro tempore (Mr. LAHOOD). The question is on the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

THE JOURNAL

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the pending business is the question of the Speaker's approval of the Journal of the last day's proceedings.

The question is on the Speaker's approval of the Journal.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. PUTNAM. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 345, noes 75, answered “present” 1, not voting 14, as follows:

[Roll No. 148]

AYES—345

| | | |
|----------------|-----------------|-----------------|
| Abercrombie | Castle | Foxx |
| Ackerman | Chabot | Frank (MA) |
| Aderholt | Chandler | Franks (AZ) |
| Akin | Chocola | Frelinghuysen |
| Alexander | Clay | Gallegly |
| Allen | Cleaver | Garrett (NJ) |
| Andrews | Coble | Gerlach |
| Baca | Cole (OK) | Gilchrest |
| Bachus | Conaway | Gillmor |
| Baker | Conyers | Gingrey |
| Barrett (SC) | Cooper | Gohmert |
| Barrow | Costa | Gonzalez |
| Bartlett (MD) | Cox | Goode |
| Barton (TX) | Cramer | Goodlatte |
| Bass | Crenshaw | Gordon |
| Bean | Cubin | Granger |
| Beauprez | Cuellar | Green (WI) |
| Berman | Culberson | Green, Al |
| Biggert | Cummings | Gutierrez |
| Bilirakis | Davis (AL) | Hall |
| Bishop (GA) | Davis (CA) | Harman |
| Bishop (NY) | Davis (FL) | Harris |
| Bishop (UT) | Davis (IL) | Hastert |
| Blackburn | Davis (KY) | Hastings (WA) |
| Blumenauer | Davis (TN) | Hayes |
| Blunt | Davis, Jo Ann | Hayworth |
| Boehlert | Davis, Tom | Hensarling |
| Bonner | Deal (GA) | Herger |
| Bono | DeGette | Herseth |
| Boozman | Delahunt | Higgins |
| Boren | DeLauro | Hinojosa |
| Boswell | DeLay | Hobson |
| Boucher | Dent | Hoekstra |
| Boustany | Diaz-Balart, L. | Holden |
| Boyd | Diaz-Balart, M. | Holt |
| Bradley (NH) | Dicks | Honda |
| Brady (TX) | Dingell | Hooley |
| Brown (OH) | Doolittle | Hostettler |
| Brown (SC) | Doyle | Hoyer |
| Brown, Corrine | Drake | Hunter |
| Brown-Waite, | Dreier | Hyde |
| Ginny | Duncan | Inglis (SC) |
| Burgess | Edwards | Inslee |
| Burton (IN) | Ehlers | Israel |
| Butterfield | Emanuel | Istook |
| Buyer | Emerson | Jackson (IL) |
| Calvert | Engel | Jenkins |
| Camp | Eshoo | Jindal |
| Cannon | Etheridge | Johnson (CT) |
| Cantor | Evans | Johnson (IL) |
| Capito | Everett | Johnson, E. B. |
| Capps | Farr | Johnson, Sam |
| Cardin | Fattah | Jones (OH) |
| Cardoza | Feeney | Kanjorski |
| Carnahan | Ferguson | Kaptur |
| Carson | Foley | Keller |
| Carter | Forbes | Kildee |
| Case | Fortenberry | Kilpatrick (MI) |

| | | |
|-----------------|----------------|---------------|
| King (IA) | Myrick | Schwartz (PA) |
| Kingston | Napolitano | Schwarz (MI) |
| Kirk | Neugebauer | Scott (GA) |
| Kline | Ney | Sensenbrenner |
| Knollenberg | Northup | Serrano |
| Kolbe | Nunes | Sessions |
| Kuhl (NY) | Nussle | Shadegg |
| LaHood | Obey | Shaw |
| Langevin | Ortiz | Shays |
| Lantos | Osborne | Sherman |
| LaTourette | Owens | Sherwood |
| Leach | Oxley | Shimkus |
| Lee | Pallone | Shuster |
| Lewis (CA) | Pascarell | Simpsons |
| Lewis (GA) | Pastor | Skelton |
| Lewis (KY) | Payne | Smith (NJ) |
| Linder | Pearce | Smith (TX) |
| Lipinski | Pelosi | Smith (WA) |
| Lofgren, Zoe | Pence | Snyder |
| Lowey | Peterson (PA) | Sodrel |
| Lucas | Petri | Solis |
| Lungren, Daniel | Pickering | Souder |
| E. | Pitts | Spratt |
| Lynch | Poe | Stearns |
| Mack | Pombo | Sweeney |
| Maloney | Pomeroy | Taylor (NC) |
| Manzullo | Porter | Terry |
| Marchant | Portman | Thomas |
| Matheson | Price (GA) | Thornberry |
| Matsui | Price (NC) | Tiahrt |
| McCaul (TX) | Putnam | Tierney |
| McCollum (MN) | Radanovich | Towns |
| McCrery | Rahall | Turner |
| McHenry | Rangel | Upton |
| McHugh | Regula | Van Hollen |
| McIntyre | Rehberg | Velázquez |
| McKeon | Reichert | Walden (OR) |
| McKinney | Renzi | Walsh |
| McMorris | Reyes | Wamp |
| Meehan | Reynolds | Wasserman |
| Meek (FL) | Rogers (AL) | Schultz |
| Meeks (NY) | Rogers (KY) | Watson |
| Melancon | Rogers (MI) | Watt |
| Menendez | Rohrabacher | Waxman |
| Mica | Ros-Lehtinen | Weldon (FL) |
| Michaud | Ross | Weldon (PA) |
| Millender- | Roybal-Allard | Westmoreland |
| McDonald | Royce | Wexler |
| Miller (FL) | Ruppersberger | Whitfield |
| Miller (MI) | Rush | Wicker |
| Miller (NC) | Ryan (OH) | Wilson (NM) |
| Miller, Gary | Ryan (WI) | Wilson (SC) |
| Miller, George | Ryun (KS) | Wolf |
| Mollohan | Salazar | Woolsey |
| Moran (KS) | Sánchez, Linda | Wynn |
| Moran (VA) | T. | Young (AK) |
| Murphy | Sanders | Young (FL) |
| Murtha | Saxton | |
| Musgrave | Schiff | |

NOES—75

| | | |
|------------------|---------------|------------------|
| Baird | Kelly | Platts |
| Baldwin | Kennedy (MN) | Pryce (OH) |
| Becerra | Kennedy (RI) | Ramstad |
| Berry | Kind | Sabo |
| Brady (PA) | Kucinich | Sanchez, Loretta |
| Capuano | Larsen (WA) | Schakowsky |
| Costello | Larson (CT) | Scott (VA) |
| Crowley | Latham | Slaughter |
| DeFazio | Levin | Stark |
| English (PA) | LoBiondo | Strickland |
| Fitzpatrick (PA) | Markley | Stupak |
| Fossella | Marshall | Tanner |
| Gibbons | McCarthy | Tauscher |
| Graves | McCotter | Taylor (MS) |
| Green, Gene | McDermott | Thompson (CA) |
| Grijalva | McGovern | Thompson (MS) |
| Gutknecht | McNulty | Tiberi |
| Hart | Moore (KS) | Udall (CO) |
| Hastings (FL) | Moore (WI) | Udall (NM) |
| Hefley | Nadler | Visclosky |
| Hinchey | Neal (MA) | Waters |
| Hulshof | Norwood | Weiner |
| Issa | Oberstar | Weller |
| Jackson-Lee | Olver | Wu |
| (TX) | Otter | |
| Jones (NC) | Peterson (MN) | |

ANSWERED “PRESENT”—1

Tancredo

NOT VOTING—14

| | | |
|------------|-----------|-----------|
| Berkley | Doggett | King (NY) |
| Boehner | Filner | Paul |
| Bonilla | Flake | Rothman |
| Clyburn | Ford | Sullivan |
| Cunningham | Jefferson | |

□ 1837

Mr. MARCHANT changed his vote from “no” to “aye.”

So the Journal was approved.

The result of the vote was announced as above recorded.

Stated against:

Mr. FILNER. Mr. Speaker, on rollcall No. 148, I was in my Congressional District on official business. Had I been present, I would have voted “no.”

PERSONAL EXPLANATION

Mr. MURPHY. Mr. Speaker, during rollcall vote No. 144 on H.R. 748, my vote was incorrectly recorded as a “no” vote when it should have been recorded as a “yes” vote.

ANNOUNCEMENT OF INTENTION TO OFFER RESOLUTION RAISING QUESTION OF PRIVILEGES OF THE HOUSE

Mr. CONYERS. Mr. Speaker, pursuant to clause 2(a)(1) of rule IX, I rise to give notice of my intent to raise a question of the privileges of the House.

Mr. Speaker, I ask unanimous consent that the resolution be considered as read and printed in the RECORD.

The SPEAKER pro tempore. Under rule IX, a resolution offered from the floor by a Member other than the majority leader or the minority leader as a question of the privileges of the House has immediate precedence only at a time designated by the Chair within 2 legislative days after the resolution is properly noticed.

Pending that designation, the form of the resolution noticed by the gentleman from Michigan (Mr. CONYERS) will appear in the RECORD at this point.

The form of the resolution is as follows:

H. RES. —

Whereas the Committee on the Judiciary conducted a markup of the bill H.R. 748, the “Child Interstate Abortion Notification Act,” on Wednesday, April 13, 2005 and ordered the bill reported on that same day;

Whereas the Committee on the Judiciary subsequently reported H.R. 748 to the House on Thursday, April 21, 2005, with an accompanying report designated House Report 109-51;

Whereas, during the markup of H.R. 748, Representatives Nadler, Scott, and Jackson-Lee offered in good faith a total of five amendments to the bill, all of which failed on party-line votes;

Whereas, because Representatives Nadler, Scott, and Jackson-Lee called for recorded votes on their amendments, under section 3(b) of Rule XIII, the votes were published in House Report 109-51;

Whereas, although it is the long and established practice in House reports to describe recorded votes with objective, nonargumentative captions, the Committee on the Judiciary majority departed from this practice in House Report 109-51 by captioning these five amendments with inflammatory, inaccurate captions implying that these three Members of Congress condoned the criminal behavior of “sexual predators”;

Whereas, as one example, while an objective, nonargumentative description of one of

Representative Nadler's amendments would read, "exempts a grandparent or adult sibling from the criminal and civil provisions of the bill," and is in fact the language the Committee on the Judiciary used to caption this amendment in past reports on this legislation, the caption in House Report 109-51 was instead, "Mr. Nadler offered an amendment that would have exempted sexual predators from prosecution under the bill if they were grandparents or adult siblings of a minor." (Similar problems occurred in describing amendments offered by Representatives Scott and Jackson-Lee);

Whereas, when Representative Sensenbrenner, the Chairman of the Committee on the Judiciary, was asked about this language and given the opportunity to correct it, both in the Committee on Rules and on the House floor, he instead explained that it was his purpose and intention to include these derogatory and inaccurate captions in House Report 109-51;

Whereas, committee reports are official congressional documents to which American citizens will refer when seeking to interpret the bills they accompany;

Whereas, although the committee markup and reporting process gives Members ample opportunity to debate, characterize, and criticize each other's views, committees have a ministerial, institutional responsibility to accurately report the proceedings of committee activities;

Whereas the vote captions published in House Report 109-51 appear to be purposefully inaccurate and misleading, and therefore belittle the dignity of the House and undermine the integrity of the proceedings of the House; and

Whereas this unprecedented manipulation of a traditionally nonpartisan portion of a committee report constitutes an abuse of power by the majority of the Committee on the Judiciary: Now, therefore, be it

Resolved, That the House of Representatives—

(1) finds that the Committee on the Judiciary purposefully and deliberately mischaracterized the above-mentioned votes in House Report 109-51; and

(2) directs the chairman of such committee to report to the House a supplement to House Report 109-51 that corrects the record by describing the five amendments with non-argumentative, objective captions.

The SPEAKER pro tempore. The Chair will not at this point determine whether the resolution constitutes a question of privilege. That determination will be made at the time designated for consideration of the resolution.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 513

Mr. BECERRA. Mr. Speaker, I ask unanimous consent to have my name removed as a cosponsor of H.R. 513.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

PERSONAL EXPLANATION

Ms. CORRINE BROWN of Florida. Mr. Speaker, I was unavoidably detained and was unable to return to Washington to vote on April 26, 2005 through April 28, 2005.

Had I been present, I would have voted as follows:

Roll No. 133, "yes";
Roll No. 134, "yes";
Roll No. 135, "yes";
Roll No. 136, "yes";
Roll No. 137, "yes";
Roll No. 138, "no";
Roll No. 139, "no";
Roll No. 140, "yes";
Roll No. 141, "yes";
Roll No. 142, "yes";
Roll No. 143, "yes";
Roll No. 144, "no";
Roll No. 145, "yes";
Roll No. 146, "no".

CONFERENCE REPORT ON H. CON. RES. 95, CONCURRENT RESOLUTION ON THE BUDGET FOR FISCAL YEAR 2006

Mr. NUSSLE. Mr. Speaker, pursuant to House Resolution 248, I call up the conference report on the concurrent resolution (H. Con. Res. 95) establishing the congressional budget for the United States Government for fiscal year 2006, revising appropriate budgetary levels for fiscal year 2005, and setting forth appropriate budgetary levels for fiscal years 2007 through 2010.

The Clerk read the title of the concurrent resolution.

The SPEAKER pro tempore. Pursuant to House Resolution 248, the conference report is considered as having been read.

(For conference report and statement, see prior proceedings of the House of today.)

The SPEAKER pro tempore. The gentleman from Iowa (Mr. NUSSLE) and the gentleman from South Carolina (Mr. SPRATT) each will control 30 minutes.

The Chair recognizes the gentleman from Iowa (Mr. NUSSLE).

Mr. NUSSLE. Mr. Speaker, I yield myself 9 minutes.

Mr. Speaker, before I begin with the opening, let me just thank our staff. We have to make a lot of decisions around here, and we put together the policy and make the votes, but the staff makes it all come together in the document that we review today, as well as the work of the Committee on the Budget. I thank Jim Bates who is the majority staff director, who has done an excellent job this year, and Tom Kahn on the minority side who has done an excellent job. Both their staffs do a great job on behalf of the budget, the Senate staff in putting this together working with Chairman GREGG and the Senate Budget Committee, and our leadership staff that is here that works the floor and helps us put this all together. They do an excellent job. It is a big job putting together a budget.

But if there was ever a time that we needed a plan and we need a budget, this is the time. We have seen what it is like in years past when we do not have budgets, when we are not able to come together. And yes, the House has been able to manage the process. We have been able to keep the line on dis-

cretionary spending, but we need to do more this year. We need a fiscal blueprint. We have enormous and quickly growing sets of challenges, and we do not have infinite resources with which to meet them. We can and will meet those challenges with a fiscal blueprint, with a budget.

But in order to do that, we have to make some tough choices. We cannot say yes to everything. There is going to be a lot of debate today where Members say you did not say yes to this, you did not say yes to that, you did not give enough here, you did not give enough there, or you gave too much over here. That is the whole budget in a nutshell, is that no one is going to be perfectly satisfied with either how much you spend on one side or how much or how little you take from the other side of the ledger. No one will be satisfied, but it needs to be put in writing. It needs to be a fence around our process. We need a plan.

I am extremely pleased that we have brought our plan and our conference report here today. It was not easy to get to this position. I thank the gentleman from Illinois (Mr. HASTER); the gentleman from Texas (Mr. DELAY), the majority leader; the members of my committee; the gentleman from Wisconsin (Mr. RYAN), a member of the conference. I thank the gentleman from South Carolina (Mr. SPRATT), my friend and colleague. He will remind us that he was not a party to this conference in the way that either one of us would have liked, but I would like to thank his partnership and the way we run the committee.

Mr. Speaker, we have work to do, and I believe it can continue in a very positive way today if we pass this resolution.

Last year we were able to reduce the deficit 20 percent. We need to continue that work. We need to continue the strength of this country. We need to continue the growth of our economy. We need to continue the restraint of spending for deficit reduction. These are our highest national priorities, and if these priorities are not met, none of the rest of the priorities will be met.

All of the programs, all of the areas of government, none of them can happen if our economy is not strong, if our Nation is not strong, if our freedom is not protected, and if we do not have a fiscal blueprint to surround us. These are our fiscal priorities as we move forward.

Let me talk about the conference report that we are bringing today. First, the budget fully accommodates the President's request for defense and homeland security. That is our number one job. None of the rest of the discussion matters if we do not protect the country. In addition, it provides for \$50 billion in emergency supplementals looking forward, recognizing that we have a continuing obligation in our global war on terror.

Second, the budget continues our successful economic policies, including